

**TOWN OF LOCHBUIE,
COUNTIES OF WELD AND ADAMS, COLORADO**

ORDINANCE NO. 2023-682

AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF LOCHBUIE, COLORADO, AMENDING SECTIONS 18-1-50, 18-1-60 AND 18-1-100 OF ARTICLE I OF CHAPTER 18 OF THE LOCHBUIE MUNICIPAL CODE CONCERNING BUILDING REGULATIONS, ADOPTING BY REFERENCE, RESPECTIVELY, THE INTERNATIONAL PLUMBING CODE, 2021 EDITION, AND THE INTERNATIONAL ENERGY CONSERVATION CODE, 2021 EDITION, BOTH PROMULGATED BY THE INTERNATIONAL CODE COUNCIL, AND THE NATIONAL ELECTRICAL CODE NFPA 70, 2023 EDITION, PROMULGATED BY THE NATIONAL FIRE PROTECTION ASSOCIATION, INC. AND AS ADOPTED BY THE STATE OF COLORADO, AND SETTING FORTH IN FULL THE PENALTY PROVISIONS FOR VIOLATIONS THEREOF

WHEREAS, pursuant to the authority set forth in Part 2, Article 16, Title 31, C.R.S., the Town of Lochbuie, Colorado (the “Town”) previously adopted certain uniform codes as codified at Article I, Chapter 18 of the Town of Lochbuie Municipal Code; and

WHEREAS, the Board of Trustees of the Town of Lochbuie (“Board”) possesses the authority to enact ordinances for the promotion of health pursuant to C.R.S. §31-15-401 and has the authority to enact ordinances for the regulation of building pursuant to C.R.S. §31-15-601; and

WHEREAS, pursuant to this authority, the Board of Trustees desires to adopt by reference certain updated uniform codes addressing building regulations governing plumbing, energy conservation and electrical systems in the interest of updating its current building regulations and adopting uniform codes to promote the public health, safety and welfare of the Lochbuie community; and

WHEREAS, three (3) copies of the *International Plumbing Code*, 2021 edition, *The International Energy Conservation Code*, 2021 Edition, both promulgated by the International Code Council, and *The National Electrical Code NFPA 70*, 2023 Edition promulgated by the National Fire Protection Association, Inc., 1 Batterymarch Park Quincy, Massachusetts, 02169-7471, and as adopted by the State of Colorado (the “Codes”) were filed with the Town Clerk at least fifteen (15) days prior to public hearing on this Ordinance and the same remain open to public inspection and purchase in accordance with Section 31-16-206, C.R.S., said copies being available at the Town Hall, 703 Weld County Road 37, Lochbuie, Colorado 80603; and

WHEREAS, after due and proper notice published in accordance with Section 31-16-203, C.R.S., the Board conducted a public hearing on the date, time and place noticed on the adoption of this Ordinance and the Codes, at which all interested parties were afforded an opportunity to be heard; and

WHEREAS, the Board of Trustees has determined, based on the evidence and testimony presented at the public hearing, that the adoption of the Codes as amended herein will further the health, safety and welfare of the inhabitants of the Town.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF LOCHBUIE, WELD AND ADAMS COUNTIES, COLORADO, AS FOLLOWS:

Section 1. Section 18-1-50 of Article I, Chapter 18, of the Lochbuie Municipal Code is hereby repealed and reenacted to read as follows in its entirety:

Section 18-1-50. *International Plumbing Code.*

- (a) Adoption. The *International Plumbing Code*, 2021 Edition as published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478, Chapters 1 through 13 inclusive, (“IPC”) is hereby adopted by reference as the Town of Lochbuie Plumbing Code as if fully set out in this Ordinance with the additions, deletions, insertions and changes as set forth in this Article.
- (b) Compliance Required. No building shall be hereafter constructed, erected, enlarged, altered, or moved into the Town unless the same shall, as to design, construction, quality of materials and workmanship, conform with the IPC, as adopted and as amended.
- (c) Purpose. The purpose of the IPC is to provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, installation, alteration, repairs, relocation, replacement, quality of materials, use and occupancy, location and maintenance of plumbing systems and structures within the Town of Lochbuie and certain equipment specifically regulated in the IPC.
- (d) Amendments. The following deletions, additions, insertions, and changes are hereby made to the IPC as adopted by reference by Section 18-1-50:
 - (1) IPC 101.1 Title is amended by the addition of the term “TOWN OF LOCHBUIE” where indicated.
 - (2) IPC 301.8 Baby Changing Station All public restrooms will require a baby changing station.
 - (3) IPC 305.4.1 Sewer depth is amended by filling in both areas where indicated to read “12 inches (305 mm)”.
 - (4) IPC 312.3 Drainage and vent air test is amended by deleting the first paragraph.

(5) IPC 903.1 Roof extension is amended by inserting the number “12” (152.4 mm) where indicated in the second sentence.

(6) IPC Section 1304 Reclaimed water systems this section is deleted in its entirety.

(e) Penalties for Violation. It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building or structure or cause or permit the same to be done in violation of the IPC. In addition to other sanctions set forth in the IPC, a person or entity that violates the IPC may be fined in an amount not to exceed the maximum fine amount permitted to be imposed by the municipal court or imprisoned for a term not to exceed one year, or both such fine and imprisonment, as more fully set forth in Section 1-4-20 of the Municipal Code.

Section 2. Section 18-1-60 of the Lochbuie Municipal Code is hereby repealed and reenacted to read as follows in its entirety:

Section 18-1-60. *International Energy Conservation Code.*

(a) Adoption. The *International Energy Conservation Code*, 2021 Edition, as published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478, Chapters Commercial Provisions 1 through 6 and Residential Provisions Chapters 1 through 6 inclusive, (“IECC”) is hereby adopted by reference as the Town of Lochbuie Energy Code as if fully set out in this Ordinance with the additions, deletions, insertions and changes as set forth in this Article.

(b) Compliance Required. No building shall be hereafter constructed, erected, enlarged, altered, or moved into the Town unless the same shall, as to design, construction, quality of materials and workmanship, conform with the IECC, as adopted and as amended.

(c) Purpose. The purpose of the IECC is to regulate the design and construction of buildings for the effective use of energy. The IECC is not intended to abridge safety, health or environmental requirements contained in other applicable codes or ordinances.

(d) Amendments. The following deletions, additions, insertions, and changes are hereby made to the IECC as adopted by reference by Section 18-1-60(a):

(1) IECC C101.1 and R101.1 entitled “Title” are amended by the addition of the term “TOWN OF LOCHBUIE” where indicated.

(2) IECC C109.1 and R109.1 addressing the Board of Appeals are amended by deleting the language and inserting the following:

In order to hear and decide appeals of orders, decisions and determinations made by the *code official* relative to the application and interpretation of this code, there shall be a board of appeals, the membership of which shall be comprised

of all the members of the Town Board of Trustees. The *code official* shall be an *ex officio* member of the Board of Appeals but shall not have a vote on any matter before the Board. The Board of Appeals may adopt rules of procedure for conducting its business and shall render decisions and findings in writing to the appellant with a duplicate copy to the *code official*.

(3) IECC C109.3 and R109.3 Qualifications are amended by the deletion of these sections in their entirety.

(4) The following appendices are deleted in their entirety:

- CA Board of Appeals Commercial
- CB Solar Ready Zone – Commercial
- CC Zero Energy Commercial Building Provisions
- RA Board of Appeals – Residential
- RB Solar-Ready Provisions Detached One and Two Family Dwellings and Townhouses
- RC Zero Energy Residential Building Provisions

(e) Penalties for Violation. It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building or structure or cause or permit the same to be done in violation of the IECC. In addition to other sanctions set forth in the IECC, a person or entity that violates the IECC may be fined in an amount not to exceed the maximum fine amount permitted to be imposed by the municipal court or imprisoned for a term not to exceed one year, or both such fine and imprisonment, as more fully set forth in Section 1-4-20 of the Municipal Code.

Section 3. Section 18-1-100 of the Lochbuie Municipal Code is hereby repealed and reenacted to read as follows in its entirety:

Section 18-1-100. *National Electrical Code.*

(a) Adoption. The *National Electrical Code NFPA 70*, 2023 edition, as promulgated by the National Fire Protection Association, Inc., 1 Batterymarch Park Quincy, Massachusetts, 02169-7471, and as adopted by the State of Colorado (“NEC”) is hereby adopted by reference as the Town of Lochbuie Electrical Code as if fully set out in this ordinance without additions, deletions, insertions or changes.

(b) Compliance Required. It shall be unlawful for any person, firm or corporation to erect, construct, alter, repair, remove, demolish or utilize any system covered by the NEC, or cause the same to be done, in conflict with or in violation of any provision of the NEC.

(c) Purpose. The purpose of the NEC is to govern the design, installation, construction and maintenance of electrical systems, provide reasonable safeguards to protect the public

health and safety against the hazards of inadequate, defective or unsafe electrical systems and installations.

- (d) **Penalties for Violation.** It shall be unlawful for a person, firm or corporation to be in conflict with or in violation of any of the provisions of the NEC. In addition to other sanctions set forth in the NEC, a person or entity that violates the NEC may be fined in an amount not to exceed the maximum fine amount permitted to be imposed by the municipal court or imprisoned for a term not to exceed one year, or both such fine and imprisonment, as more fully set forth in Section 1-4-20 of the Municipal Code.

Section 4. Severability. Should any one or more sections or provisions of this Ordinance be judicially determined invalid or unenforceable, such judgment shall not affect, impair, or invalidate the remaining provisions of this Ordinance, the intention being that the various sections and provisions are severable.

Section 5. Repeal. Any and all ordinances or codes or parts thereof in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed; provided, however, that the repeal of any such ordinance or code or part thereof shall not revive any other section or part of any ordinance or code heretofore repealed or superseded and this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the effective date of this Ordinance.

Section 6. Safety Clause. The Board of Trustees hereby finds, determines, and declares that the Town has promulgated this Ordinance under the general police power of the Town of Lochbuie, that it is promulgated for the health, safety, and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Board of Trustees further determines that the Ordinance bears a rational relationship to the proper legislative objective it seeks to obtain.

Section 7. Effective Date. This Ordinance shall take effect thirty (30) days after publication, as provided by C.R.S. § 31-16-105 and Section 1-3-60 of the Lochbuie Municipal Code.

READ AND INTRODUCED the 2nd day of May, 2023, and public hearing scheduled for May 16, 2023.

TOWN OF LOCHBUIE, COLORADO

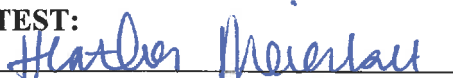
Michael Mahoney, Mayor

ADOPTED by a vote of ___ in favor, ___ against and ___ abstaining, AND ORDERED PUBLISHED by title only following public hearing, this 16th day of May, 2023.

TOWN OF LOCHBUIE, COLORADO


Michael Mahoney, Mayor

I hereby certify that the Board of Trustees of the Town of Lochbuie introduced this Ordinance on May 2, 2023 and adopted the above Ordinance at its meeting of May 16, 2023 and ordered it published by title only one time by *The Brighton Blade* newspaper on May 25, 2023.

ATTEST:

Heather Meierkort, Town Clerk

